

REMARKS

Applicants note with appreciation that, in the Final Office Action of November 15, 2007, claims 1, 2, 5, 6, 21-23 and 29-31 were allowed. However, claims 25-28 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Number 6,256,016 B1 (“Piot et al.”).

In response, Applicants have amended claims 25 and 28 to correct minor informalities. Furthermore, Applicants respectfully assert that each element recited in the amended independent claim 25 is not disclosed in the cited reference of Piot et al., as explained below. Thus, the amended independent claim 25 is not anticipated by the cited reference of Piot et al. In view of the following remarks, Applicants respectfully request that claims 25-28 be allowed in addition to the allowed claims 1, 2, 5, 6, 21-23 and 29-31.

A. Patentability of Independent Claim 25

The amended independent claim 25 recites “*wherein the movement computation comprises summing only pixel values from a first one of the digital images, thereby generating a first plurality of sums, and summing only pixel values from a second one of the digital images, thereby generating a second plurality of sums,*” which is not disclosed in the cited reference of Piot et al. Thus, the independent claim 25 is not anticipated by the cited reference of Piot et al. As such, Applicants respectfully request that the independent claim 25 be allowed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Office Action states on page 4 that “Piot et al. disclose the calculation uses a 1D cross-correlation analysis that calculates the image data signals in the y-direction (refers to instant claimed columns of pixels) and the x-direction (refers to instant claimed rows of pixels) (see e.g. col. 5, lines 5-58; col. 19, line 29 thru col. 20,

line 22; fig. 10)” and that “[t]he calculation uses the formula of $R_x(M) = \sum_x (\text{NewX}(x))(\text{RefX}(x-m))$ for the x-direction (refers to instant claimed limitation of ‘*comprising summing only pixels values from a first one of the digital images, thereby generating a first plurality of sums*’), which is also applicable to the y-direction (refers to instant claimed limitation of ‘*summing only pixel values from a second one of the digital images, thereby generating a second plurality of sums*’)(see e.g. col. 19, lines 29-64).”

However, the equation $R_x(M) = \sum_x (\text{NewX}(x))(\text{RefX}(x-m))$ does not involve “*summing only pixel values from a first one of the digital images, thereby generating a first plurality of sums,*” as recited in the amended independent claim 25. Rather, the equation $R_x(M) = \sum_x (\text{NewX}(x))(\text{RefX}(x-m))$ involves **summing the product** of $(\text{NewX}(x))(\text{RefX}(x-m))$ for the various values of x. Furthermore, since RefX(x) refers to a reference image (see column 19, line 34, of Piot et al.) and NewX(x) refers to another image (see column 19, lines 43-44, of Piot et al.), the equation $R_x(M) = \sum_x (\text{NewX}(x))(\text{RefX}(x-m))$ does not involve “*only pixels values from a first one of the digital images,*” as recited in the independent claim 25, but rather pixels values from two images. Therefore, the cited reference of Piot et al. does not disclose “*wherein the movement computation comprises summing only pixel values from a first one of the digital images, thereby generating a first plurality of sums, and summing only pixel values from a second one of the digital images, thereby generating a second plurality of sums,*” as recited in the independent claim 25. Thus, the independent claim 25 is not anticipated by the cited reference of Piot et al. As such, Applicants respectfully request that the independent claim 25 be allowed.

B. Patentability of Dependent Claims 26-28

Each of the dependent claims 26-28 depends on the independent claim 25. As such, these dependent claims include all the limitations of the independent claim 25. Therefore, Applicants submit that these dependent claims are allowable for at least the same reasons as the independent claim 25.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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